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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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MARTEL BEAVER,

Petitioner,

*versus*

DIRECTOR, TDCJ-CID,

Respondent.

CIVIL ACTION NO. 1:19-CV-129

**MEMORANDUM ORDER ADOPTING THE  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Petitioner Martel Beaver, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The court previously referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of the court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending the petition be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b).

The court has received the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. No objections were filed to the Report and Recommendation.

**ORDER**

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered dismissing the petition.

SIGNED at Beaumont, Texas, this 7th day of May, 2021.

*Marcia A. Crone*

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE